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MAILED

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OFFICE OF PETITIONS

In re Application of
John B. MOETTELI
Patent No. : 6,121,898
Issued: September 19, 2000
Application No. 09/047,272
Filed: March 24, 1998
Attorney Docket No. PUS-A006-001

DECISION ON PETITION

This is a decision on the petition filed February 3, 2011, requesting removal of information from the file record of above identified application.

The petition is **GRANTED to the extent indicated below.**

Petitioner's request "to strike erroneously filed paper" pertains to a "document [that] was filed by a third party on January 4, 2001" ("Document"). Petitioner states that the entry of the document into the file record "is an error of the patent office," as "no legal basis exists for such filing."

As an initial matter, it is noted that the Document was submitted for consideration after the instant patent issued. A review of the file record of the instant application and the Document being sought to be removed indicates that the Document included *inter alia* prior art submission by a third party that is permitted under 37 CFR 1.501. Accordingly, the part of the Document consisting of only the prior art has been retained in the file. The remaining part of the document has been removed from the file record. As of mailing date of this decision, the corresponding images of the expunged portion of the Document in Image File Wrapper (IFW) has been "closed" thereby removing it from a list of publicly available documents associated with this application.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-4914.

Ramesh Krishnamurthy
Petitions Examiner
Office of Petitions